

REMARKS

Claims 1-12 have been examined. Claims 1-3, 5, 6 and 10-12 have been rejected under 35 U.S.C. § 102(b) and claims 4 and 7-9 have been rejected under 35 U.S.C. § 103(a).

I. Rejections under 35 U.S.C. § 102(b)

The Examiner has rejected claims 1-3, 5, 6 and 10-12 under 35 U.S.C. § 102(b) as allegedly being anticipated by EP 1096421 to Nakajima et al. ("Nakajima")

A. Claim 1

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites that a printing area is divided into several areas and an amount of ink and an elapsed-time are measured for each divided printing area.

Applicant submits that Nakajima fails to teach or suggest the above added feature of claim 1. Accordingly, Applicant submits that claim 1 is not anticipated by Nakajima and respectfully requests the Examiner to reconsider and withdraw the rejection.

B. Claims 2, 3, 5 and 6

Since claims 2, 3, 5 and 6 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

C. Claims 10-12

Since claims 10-12 contain features that are analogous to the features recited in claim 1, Applicant submits that such claims are patentable for at least analogous reasons as claim 1.

II. Rejections under 35 U.S.C. § 103(a) in view of Nakajima and U.S. Patent No. 6,270,199 to Kimura et al. (“Kimura”)

The Examiner has rejected claims 4 and 9 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakajima in view of Kimura.

A. Claim 4

Since claim 4 is dependent upon claim 1, and Kimura fails to cure the deficient teachings of Nakajima, in regard to claim 1, Applicant submits that claim 4 is patentable at least by virtue of its dependency.

B. Claim 9

Since claim 9 contains features that are analogous to the features discussed above for claim 1, and Kimura fails to cure the deficient teachings of Nakajima, in regard to claim 1, Applicant submits that claim 9 is patentable over the cited references.

III. Rejections under 35 U.S.C. § 103(a) in view of Nakajima and U.S. Patent No. 6,416,151 to Otsuka et al. (“Otsuka”).

The Examiner has rejected claims 7 and 8 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakajima in view of Otsuka. However, since claims 7 and 8 are dependent upon claim 1, and Otsuka fails to cure the deficient teachings of Nakajima, in regard to claim 1, Applicant submits that claims 7 and 8 are patentable at least by virtue of their dependency.

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/825,609

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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